

**TOWN OF DIGHTON
BOARDS OF SELECTMEN/HEALTH
SEPTEMBER 12, 2012**

E. Bud Whalon called the meeting to order at 7:30 PM.

Present: E. Bud Whalon, Dean V. Cronin and Thomas J. Pires

The pledge of allegiance was recited.

Approval of Minutes

Motion: Dean V. Cronin, seconded: Thomas J. Pires, VOTED to approve the meeting minutes of July 25, 2012.

Vote: UNANIMOUS

Motion: Dean V. Cronin, seconded: Thomas J. Pires, VOTED to approve the meeting minutes of August 29, 2012.

Vote: UNANIMOUS

Motion: Dean V. Cronin, seconded: Thomas J. Pires, VOTED to approve the meeting minutes of August 29, 2012 – Executive Session.

Vote: UNANIMOUS

Approve Warrants

Motion: Dean V. Cronin, seconded: Thomas J. Pires, VOTED to approve the following warrants:

Warrant #011A-13	Payroll	\$	63,880.67
Warrant #011B-13	Vendor bills	\$	76,788.46
Warrant #011C-13	Vendor bills	\$	2,130.54

Vote: UNANIMOUS

Expenditure Detail

The Board has nothing to report at this time.

Correspondence

The Zoning Board of Appeals has scheduled a hearing for September 27, 2012, 7:30PM at the Dighton Middle School. Said hearing is filed by Somerset Woods, LLC for a Comprehensive Permit, MGL Chapter 40B to construct 200 apartments (4) 36-unit phase and (1) 56-unit phase to be built on approximately 39.7 acres on Somerset Avenue, Dighton.

Comcast is advising residents of changes that will be taking place to the channel lineup in our community. On or shortly after October 8, 2012, WGBX HD will move from channel 818 to 801.

The ABCC has issued an advisory that effective October 31, 2012, the ABCC has a new type of annual, all alcoholic beverages license called the "Caterer's License". For more information, please contact Ralph Sacramone at (617) 727-3040, ext. 731.

Announcements were read.

Report of the Personnel Officer

NONE

Marilyn Edge, Southcoast Tobacco Control Collaborative

Marilyn Edge appeared before the Board to discuss a change in her work plan adding an alcohol education unit. It was noted that sale of tobacco products to a minor in a liquor licensed establishment must be reported to the local board of health. Ms. Edge is attempting to contact the Police Chief to discuss the matter. Ms. Edge also presented for the Board's review, the Regulation Restricting the Sale and Use of Tobacco Products and Nicotine Delivery Products in the Town of Dighton. Said Regulation was presented to the Board a few years ago but the matter was tabled pending a lawsuit filed by three major blunt wrap manufacturers against the City of Boston, complaining that their products had been unfairly singled out for a comprehensive ban. In March of 2009 the Suffolk Superior Court ruled that Boston has the legal authority to ban the blunt wraps. It was noted at this time only one community (Westport) within the Collaborative has instituted the Regulation. The Board will review the Regulation and report back to Ms. Edge,

Review/Discuss/Act: Establish Yearly Mooring Fee (2nd Reading)

The Board discussed establishing a \$50.00 yearly mooring fee. This is the Boards second reading. The Board will read the fee one more time before it is implemented.

Review/Discuss/Act: Highway Department Employee – New Hire

Highway Superintendent, Thomas Ferry, received nineteen applications for the Operator Class I position. The Board reviewed Mr. Ferry's recommendation. Motion: Thomas J. Pires, seconded: Dean V. Cronin VOTED to accept the recommendation of Highway Superintendent, Thomas Ferry to hire Gregory Olsen as Operator Class I for the Highway Department.

Voted: UNANIMOUS

Review/Discuss/Act: Removal of Contaminated Soil at the Highway Garage

Highway Superintendent, Thomas Ferry presented to the Board a Site Specific Health & Safety Plan to address the hazards associated with exposure to petroleum impacted soil at the Dighton Highway Garage at 2011 County Street. Within said Plan it was noted that the excavation, stockpiling, transportation and disposal of the impacted soil will take approximately one week to complete with estimated cost of \$21,000.00. Mr. Ferry noted that upon further investigation two tanks were found that will require further testing and removal and suggested that the disposal of the soil be tabled until the tanks are ready to be disposed of as well. Mr. Ferry estimates the additional cost would be \$14,000.00.

It was noted that there is no evidence of impact to the groundwater and that the source of the contamination is likely historical use of the property as a train depot, automobile repair facility and gas station prior to the Town obtaining ownership.

Review/Discuss/Act: Award Bid for Removal of Contaminated Soil at the Highway Garage
Highway Superintendent, Thomas Ferry, requested four (4) price proposals for the hauling of contaminated soil from the Highway Garage and one price proposal was presented. Motion: Dean V. Cronin, seconded: Thomas J. Pires VOTED to accept the bid of G. Lopes Construction Inc., for the transportation of contaminated soil at the Highway Garage to the Stoughton Landfill located on Mack Drive, Stoughton to be delivered in trailers at \$6.25 per ton.

Vote: UNANIMOUS

Review/Discuss/Act: Salvation Army Bin Placement
The Board received a request from John Clougherty of The Salvation Army seeking to place a donation box, that would have weekly pick ups, behind Town Hall or at the Transfer Station. The Board discussed placement. Motion: Thomas J. Pires, seconded: Dean V. Cronin VOTED to approve the Salvation Army request and place a donation box at the Transfer Station located on Tremont Street.

Vote: UNANIMOUS

Review/Discuss/Act: Request for Fee Proposal for the New Police Station
The Board received a request from the Police Station Committee reaching out to Saccoccio and Associates to provide a fee proposal for the continuation of the work associated with the new police station and communications center. Motion: Thomas J. Pires, seconded: Dean V. Cronin VOTED to approve the fee proposal request to Saccoccio and Associates.

Vote: UNANIMOUS

Review/Discuss/Act: Appoint Member to the Police Station Committee
James Howland advised the Board that Carl Stonstrom anticipates resigning as member from the Police Station Committee. Due to Mr. Stonstrom's resignation, Mr. Howland requests the Board to consider appointing Robert Perry. Motion: Thomas J. Pires, seconded: Dean V. Cronin to appoint Robert Perry as member of the Police Station Committee.

Vote: UNANIMOUS

Review/Discuss/Act: Proclamation for Constitution Week
The Board read and signed the Proclamation for Constitution Week, September 17-23, 2012 in celebration of its two hundred and twenty-fifth anniversary celebration.

Review/Discuss/Act: Approve Conservation Commission Land Purchase
The Board read a request from the Conservation Commission seeking permission to purchase 5.5 acres of land off County Street (Map 24, Lot 28) from Joseph Dumenigo in the amount of \$19,500.00. The parcel of salt marsh adjoins the other County Street salt marsh parcel

recently acquired next to Broad Cove. Motion: Thomas J. Pires, seconded: Dean V. Cronin VOTED to approve the purchase of 5.5 acres of land off County Street (Map 24, Lot 28) from Joseph Dumenigo in the amount of \$19,500.00 by the Conservation Commission.

Vote: UNANIMOUS

Review/Discuss/Act: Variance Request from Bristol Elder Services, Inc.

The Board received a request for Variance from Jason Pelopida, Nutrition Program Director of Bristol Elder Services, Inc., seeking relief from the State Sanitary Code for Food Establishments requiring certified food protection managers presence when meals are prepared or served. Bristol Elder provides meals for the elderly at the Prime Time building. Health Agent, Kevin Bernardo, doesn't mind granting a temporary variance giving Bristol Elder's ample time to get the proper certification. E. Bud Whalon would like to see two people from Council of Aging certified for the protection of the elderly. Motion: Thomas J. Pires, seconded: Dean V. Cronin VOTED to approve a 60 day Variance to Bristol Elder Services, Inc. for relief from the State Sanitary Code for Food Establishments requiring certified food protection managers presence when meals are prepared or served.

Vote: UNANIMOUS

Review/Discuss/Act: Ambulance Write Offs

The Board received an ambulance write off request from Fire Chief Antone Roderick, Jr. Motion: Thomas J. Pires, seconded: Dean V. Cronin VOTED to approve the Ambulance write off of \$864.61 due to a deceased patient.

Vote: UNANIMOUS

Review/Discuss/Act: Tri Centennial Parade Request

The Board received a request from Fire Chief Antone Roderick, Jr., to let non-town personnel ride in the fire apparatus for the Tri Centennial Parade on September 22, 2012. Motion: Thomas J. Pires, seconded: Dean V. Cronin VOTED to approve a non-town personnel ride in the fire apparatus for the Tri Centennial Parade on September 22, 2012.

Vote: UNANIMOUS

Public Input
NONE.

Motion: Thomas Pires, seconded: Dean V. Cronin to adjourn at 8:20 PM.

Vote: UNANIMOUS

Respectfully submitted,
Boards of Selectmen/Health
Kerrie J Easterday, Administrative Assistant

Approved by:

